



CANNON BUILDING

STATE OF DELAWARE

TELEPHONE: (302) 744-4500

861 SILVER LAKE BLVD.,
SUITE 203

DEPARTMENT OF STATE

FAX: (302) 739-2711

DOVER, DELAWARE 19904-2467

DIVISION OF PROFESSIONAL REGULATION

WEBSITE:
WWW.DPR.DELAWARE.GOV

PUBLIC MEETING MINUTES:	DELAWARE GAMING CONTROL BOARD
MEETING DATE AND TIME:	Thursday, May 6, 2010 at 12:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B, second floor of the Cannon Building
MINUTES APPROVED:	June 3, 2010

MEMBERS PRESENT

James Greene, Chairman, DE Volunteer Fireman's Association Member
Deborah Messina, Vice Chairperson, Public Member
Brad Barrie, Public Member
Sharon McDowell, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

James Collins, Director, Division of Professional Regulation
Eileen Heeney, Deputy Attorney General
Renee' Holt, Administrative Specialist II
Michele Urbaniak, Administrative Specialist II

MEMBERS ABSENT

Scott Angelucci, Public Member

ALSO PRESENT

Joyce Talley
Pablo Reyes, Harrington Fire Company

CALL TO ORDER

Mr. Greene called the meeting to order at 1:01 p.m.

Ms. Messina made a motion to amend the agenda by adding item 4.8.2.1 Rainbow Chorale – Bingo event date change request: Original date February 7, 2010 asking for May 29, 2010. The motion was seconded by Ms. McDowell. The motion was unanimously approved.

REVIEW OF MINUTES

The Board reviewed the meeting minutes from March 4, 2010 and April 1, 2010. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the minutes as presented. The motion was unanimously approved.

UNFINISHED BUSINESS

Rules and Regulation Change Public Hearing

Mr. Greene read the changes for the hearing. Ms. Heeney stated the hearing had to wait until 1:15 pm as that is when it was noticed in the register. Ms. Messina made a motion to move to the review of 3.2.2 – 3.2.5, seconded by Mr. Barrie. The motion was unanimously approved.

The hearing began at 1:15pm.

Attendees: James Greene, Deborah Messina, Sharon McDowell, Brad Barrie, Michele Urbaniak, Renee' Holt, Eileen Heeney, Deputy Attorney General.

Court Reporter: Lorena Hartnett, Wilcox and Fetzer

Ms. Heeney read the purpose of the hearing. The court reporter took verbatim testimony. The Board Members introduced themselves for the record. Mr. Greene inquired if there was any public comment. There was no public comment. The Board went off the record for deliberations at 1:17 pm. The Board went back on the record at 1:18 pm.

Ms. Messina made a motion to accept the proposed regulations for , seconded by Ms. McDowell. The motion was unanimously approved.

Ms. Heeney prepared the order for signatures. The Board signed the order. Ms. Heeney clarified the order would be noticed in the Register of Regulations for June 1, 2010 and the changes would become effective 10 days after publishing.

The hearing closed at 1:19 pm.

Proposal to Deny Hearing

Samuel Todd – Individual Texas Hold'Em Dealer license application

The hearing began at 1:20 pm.

Attendees: James Greene, Deborah Messina, Sharon McDowell, Brad Barrie, Michele Urbaniak, AS, Renee' Holt, AS, Eileen Heeney, DAG

Court Reporter: Lorena Hartnett, Wilcox and Fetzer

Ms. Heeney read the purpose of the hearing. The court reporter took verbatim testimony. Ms. Heeney presented the Board's Exhibits. Ms. Heeney verified Mr. Todd was aware of his right to be represented by an attorney. Mr. Todd confirmed he was aware of his right to representation and was present without representation.

Mr. Todd made opening statements. The court reporter swore in Mr. Todd. The Board questioned Mr. Todd. Mr. Greene read the Investigative Report recommendation and stated his reasoning for proposing to deny. Ms. Heeney questioned if Mr. Todd was currently being treated for Post Concussion Syndrome. Mr. Todd submitted

his Applicant Exhibit 1. The Board reviewed the exhibit. The Board further questioned Mr. Todd. Mr. Todd submitted Applicant Exhibit 2. Mr. Todd gave closing statements.

The Board went off the record for deliberations at 1:50 p.m. The Board went back on the record at 2:00 p.m. Mr. Todd gave further testimony and offered his son as a witness. The Board agreed it was not necessary to call the minor child as a witness. Ms. Messina made a motion, seconded by Mr. Barrie to approve Samuel Todd's application for dealer license. The motion was unanimously approved.

Mr. Collins entered the meeting at 1:51 p.m.

Final Denials

There were no final denial hearings.

NEW BUSINESS

Executive Session

Mr. Barrie made a motion to go into executive session. Ms. McDowell seconded the motion. The motion was unanimously approved. The Board went into executive session at 2:06 p.m. Mr. Collins left the meeting at 2:48 p.m. Ms. Messina made a motion to end executive session, seconded by Ms. McDowell. The motion was unanimously approved.

Review of Application(s) for Individual Texas Hold'Em Dealer

George Kelly – The Board reviewed the application. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

Nicholas Canalichio – The Board reviewed the application. Mr. Barrie made a motion to propose to deny, seconded by Ms. McDowell. The motion was unanimously approved.

Sean Manning - The Board reviewed the application. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

David A. Cericola - The Board reviewed the application. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application. Ms. Messina made a motion to retract motion, seconded by Ms. McDowell. The motion was unanimously approved. Ms. Messina made a motion, seconded by Ms. McDowell to propose to deny the application. The motion was unanimously approved.

Board Member Report

Mr. Greene stated the Board is going to change their procedure for approving applications that still need additional information to be complete and have an event date that is after the next scheduled board meeting from proposal to deny to contingent approval. Mr. Greene asked the public to please be aware that if there was an increase in applications missing documents, the Board would consider returning to the old policy of proposal to deny. Mr. Greene explained the Board was willing to try the proposed method of approval to see if it would be more efficient and benefit the organizations and also assist the Division staff in processing the Board decisions in a more effective manner.

There were no other Board Member Reports.

Review of Application for Texas Hold 'Em Tournament(s)

The Board reviewed the applications for New Candlelight Productions Inc., New Castle Moose Lodge #1578 – Family Center, and Bowers Fire Company Inc. Mr. Barrie made a motion, seconded by Ms. McDowell to approve the applications. The motion was unanimously approved.

Review of Charitable Gambling Event Application(s)

The Board reviewed the applications for Del-Mar-Va Council Inc., Veterans of Foreign Wars Ladies Auxiliary Post 7447, and Delaware Lodge #37 A.F. & A.M, Mr. Greene made a motion to approve the applications, seconded by Ms. McDowell. The motion was unanimously approved.

The Board reviewed the application for Sussex County Land Foundation. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of the delinquent after occasion report. The motion was unanimously approved.

The Board reviewed the application for New Candlelight Productions Inc. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the application. The motion was unanimously approved.

The Board was approached by Ms. Talley requesting on behalf of the Martin Truex Jr Foundation to withdraw the application for Charitable Gambling. Mr. Greene made a motion, seconded by Ms. McDowell to withdraw the application per the request of the organization. The motion was unanimously approved.

The Board reviewed the applications for Nanticoke Little League, First State Young Marines, CHEER Community Center, American Legion CKRT Post 7, and Worship and Praise Deliverance. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Powerhouse Church. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the application. The motion was unanimously approved.

The Board reviewed the application for Kent/Sussex Human Service Council. Ms. Messina stated the hours for the event are over the time limit. Ms. McDowell made a motion, seconded by Ms. Messina to approve the application contingent upon the organization changing the event time to coincide with the 6 hour limit. The motion was unanimously approved.

The Board reviewed the application for Delmarva Dawgs Baseball. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

Review of Original Bingo Applications

There were no applications to review.

Review of Bingo Event Application(s)

The Board reviewed the applications for Delaware Diamonds 10U and Millsboro Women's Civic Club. Ms. Messina made a motion, seconded by Mr. Barrie to approve the applications. The motion was unanimously approved.

The Board reviewed the application for Seaford Elks Lodge 2458. Ms. Messina made a motion, seconded by Mr. Barrie to approve the application contingent upon receipt of the delinquent after occasion reports. The motion was unanimously approved.

The Board reviewed the application for Fenwick Island Lion's Club. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the application. The motion was unanimously approved.

The Board reviewed the application for Good Will Fire Company Ladies Auxiliary. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the application contingent upon receipt of the delinquent after occasion report. The motion was unanimously approved.

The Board reviewed the application for FOP Sussex County Lodge 9. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application. The motion was unanimously approved.

The Board reviewed the application for Relay for Life Caulk Cancer Crusaders. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the application. The motion was unanimously approved.

Review of Raffle Application(s)

The Board reviewed the application for Paul L Laurance DunBar Elks Lodge #106. Mr. Greene stated the letter of authorization of use of the facility needs to be submitted. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application contingent upon receipt of the letter of authorization. The motion was unanimously approved.

The Board reviewed the application of Dover Christian Church. Ms. McDowell made a motion, seconded by Mr. Barrie to approve the application. The motion was unanimously approved.

Review of Instant Bingo Application(s)

There were no Instant Bingo Applications to review.

Request to Change Date of Approved Event

The Board reviewed the request for change of date for the Rainbow Chorale bingo event from February 7, 2010 to May 29, 2010 due to Inclement Weather, State of Emergency. Mr. Greene made a motion, seconded by Ms. Messina to approve the request. The motion was unanimously approved.

Approval of Licensure List(s) – (Full listing attached as Appendix A)

Mr. Barrie read the licensure list for Texas Hold'Em Tournaments. Ms. Messina made a motion, seconded by Ms. McDowell to approve the list. The motion was unanimously approved.

James Collins entered the meeting at 3:16 pm.

Mr. Barrie read the licensure list for Charitable Gambling Events. Ms. McDowell made a motion, seconded by Ms. Messina to approve the list. The motion was unanimously approved.

Mr. Barrie read the licensure list for Bingo events. Ms. Messina made a motion, seconded by Ms. McDowell to approve the list. The motion was unanimously approved.

Mr. Barrie recused himself from the vote on the application for Newark Elks. Ms. Messina made a motion, seconded by Ms. McDowell to approve the application. The motion carried with a vote of approval by Ms. Messina, Ms. McDowell, and Mr. Greene. Mr. Barrie abstained.

Mr. Barrie read the licensure list for Raffle events. Ms. Messina made a motion, seconded by Ms. McDowell to approve the list. The motion was unanimously approved.

Hearings/Consent Agreements /Board Orders

The Board was informed a hearing was scheduled for June 3, 2010 on Complaint #22-03-08 William Anderson.

Closed Complaints

There were no closed complaints.

Complaint Updates

There were no updates.

Complaint Assignments

There were no new complaints assigned.

After Occasion Reports

There were no after occasion reports reviewed.

Delegation of Authority (permits issued)

Mr. Greene stated a raffle event permit was issued outside the regular board meeting for Supporting Kidds Inc on May 4, 2010. Mr. Greene explained that the application was forwarded to him for review by Ms. Holt at the request of Mr. Collins and the Governor's office. The Board ratified the issuance of the event permit by a unanimous vote.

Ms. Messina made a motion, seconded by Mr. Greene to amend the agenda to add item 4.13 Review of Draft After Occasion Report. The motion was unanimously approved.

Mr. Greene reviewed with the Board the after occasion report revised by the Division and that Mr. Collins had requested the Board review. After discussion, Ms. Messina made a motion, seconded by Ms. McDowell to accept the new after occasion reports as presented. The motion was unanimously approved.

Other Business (for discussion only)

Ms. Holt introduced Ms. Urbaniak to the Board as the new employee with Team A. The Board welcomed Ms. Urbaniak.

Public Comment

Mr. Pablo Reyes addressed the Board. Mr. Reyes stated he represented the Harrington Fire Company. Mr. Reyes expressed his frustration with the after occasion report process. He stated all the people he has dealt with agree with the suggestion that the after occasion report be totally online. Mr. Reyes suggested changing the color of the font on the fillable PDF document listed on the website to be black to eliminate the issue with completed forms being unreadable when scanned and faxed. Mr. Reyes suggested getting feedback from other organizations on having the after occasion report process completely online.

Mr. Greene asked Ms. Holt to check into the possibility of the suggestions made by Mr. Reyes.

Next Meeting Date

The Board will hold a meeting on June 3, 2010 at 1:00 p.m. in Conference Room B of the Cannon Bldg, 861 Silver Lake Blvd, Dover, Delaware, 19904.

Adjournment

There being no further business before the Board, Ms. Messina made a motion, seconded by Ms. McDowell to adjourn the meeting at 3:35 p.m. The motion was unanimously approved.

Respectfully submitted,



Renee' M. Holt
Administrative Specialist II